

**DECLARATION OF CHRISTOPHER JONES**  
*UPHE v. Diesel Power Gear et al., 2:17-cv-00032-RJS-DBP*

I, Christopher Robert Jones, M.D., declare that the following statements are true and correct to the best of my knowledge.

1. I am a resident of Salt Lake County, Utah, and a member of Utah Physicians for a Healthy Environment (UPHE). I have been a member of UPHE since 2013. UPHE represents my interests in a healthy environment, including healthy air.

2. I am a Board-Certified Neurologist who retired from clinical practice in 2011 to focus on neurological research.

3. The Utah Division of Air Quality has determined that the air quality in Salt Lake County does not meet federal health standards due to high levels of PM<sub>2.5</sub> and ozone. This means that air pollution along the Wasatch Front is a hazard to my health, and to the health of the public at-large.

[http://deq.utah.gov/ProgramsServices/programs/air/emissionsinventories/docs/2013/03Mar/NONATTAINMENT\\_MAP.pdf](http://deq.utah.gov/ProgramsServices/programs/air/emissionsinventories/docs/2013/03Mar/NONATTAINMENT_MAP.pdf).

<http://deq.utah.gov/Pollutants/O/ozone/docs/2016-10-Utah-Governor-Ozone-Area-Recommendation.pdf>.

4. EPA has also found that diesel exhaust is “likely to be carcinogenic to humans.” □ U.S. EPA, 2002. Health Assessment Document for Diesel Engine Exhaust, [https://cfpub.epa.gov/si/si\\_public\\_record\\_report.cfm?dirEntryId=29060&simpleSearch=1&searchAll=diesel](https://cfpub.epa.gov/si/si_public_record_report.cfm?dirEntryId=29060&simpleSearch=1&searchAll=diesel).

5. I am concerned that my current good health is chronically threatened by breathing our unhealthy air, and acutely threatened by breathing dense diesel exhaust when biking, driving, running or walking in Salt Lake County.

6. I am a four-season bicycle commuter in Salt Lake County. During my commute, I’m sometimes forced to breathe the smell and visible smoke from one or more diesel pickup trucks. I don’t like breathing this exhaust, and I hold my breath for as long as I can to avoid it.

7. My bicycle commute to work includes what is sometimes a beautiful view west across the Salt Lake valley to the Oquirrh Mountains and the Great Salt Lake. However, even in the summer and fall the morning view is often a depressingly drab dark grey haze caused by pollution. I am discouraged by being denied the pleasure of seeing this beautiful scenery.

8. During the winter months I wear a sub-micron particle filter mask when I am commuting by bicycle. I do not like wearing this mask because it restricts my breathing, but I need to in order to protect my health. The outer side of my mask can be darkened after one round-trip to work and back.

9. During the summer months it is too hot to wear a mask. When I'm passed by a diesel pickup truck laying down a black cloud of diesel smoke in the warmer months I try to hold my breath but usually I have no choice but to breathe it. I do not like breathing heavy plumes of diesel exhaust.

10. Because of concerns for my health, during air pollution alerts when air quality is unhealthy for "sensitive people" or worse, I run a portable air filtering device in my bedroom where I read or sleep. On such days I also avoid outdoor exercise and run a portable air filter in my garage where my exercise machines are located. If the air was cleaner I would not have to spend money on these devices, but I am forced to in order to protect my health.

11. Although I very much like to jog and cycle on the Bonneville Shoreline Trail that runs for many miles along the western side of the Wasatch Front, on high pollution days I am denied this pleasure. I am discouraged that I have to avoid these activities because of air pollution.

12. I understand that the defendants in this case have removed or disabled pollution control equipment on diesel vehicles, and have sold equipment for that same purpose. I also understand that by removing or disabling this equipment diesel vehicles may be more powerful, but they emit more pollution than they otherwise would.

13. If the defendants were required to stop removing pollution controls on diesel vehicles, and to stop selling equipment designed to remove these pollution controls, this would be a benefit to me because fewer diesel vehicles would be excessive polluters and the air I am breathing would be less polluted.

14. If the defendants were required to restore the pollution control equipment they have removed on diesel vehicles, this would be a benefit to me because fewer diesel vehicles would be excessive polluters and the air I am breathing would be less polluted.

15. If the defendants were required to recall the equipment they have sold that allowed other diesel vehicle owners to remove the pollution control equipment on their vehicles, and to restore those vehicles to stock condition, this would be a benefit to me because fewer diesel vehicles would be excessive polluters and the air I am breathing would be less polluted.


16. If the defendants were required to pay a penalty to the government for illegally removing pollution control equipment from diesel vehicles, and from

selling parts that assisted in that removal, this would be a benefit to me because the defendants would be less likely to engage in these practices in the future, and others who may have wanted to follow the example of the defendants would also be deterred from engaging in these practices in the future.

17. If the local air quality improved through these and other efforts, I would be able to enjoy more outdoor activities, I would be able to breathe healthier air, and I would spend more of my retirement time and money in Salt Lake County.

Signed under the penalties of perjury,

Dated: 08/03/2017

  
Christopher Robert Jones, M.D.